

expedient that such contract should be revoked, and the contract shall contain a stipulation to that effect.

Senator Page offered the following substitute:

Substitute for amendment:

Provided, that the State board of education shall have the right to revoke the contract between the State and any publishing house whenever such publishing house shall fail to comply with the contract entered into between it and the State.

By consent Senator Clemens introduced the following petitions:

Request of the Sixth congressional farmers' alliance for the Australian ballot system.

Demand of the Third congressional farmers' alliance for the Australian ballot system.

Both petitions read first time and referred to committee on State Affairs.

The amendment of Senator Page was lost by the following vote:

YEAS—12.

Clemens.	Kearby,	Sims,
Garwood,	Page,	Stephens,
Glasscock.	Potter,	Tyler,
Ingram,	Simkins,	Whatley.

NAYS—14.

Atlee.	Frank,	McKinney,
Clark,	Johnson,	Seale,
Crane,	Kimbrough,	Townsend.
Cranford,	Lubbock,	Weisiger.
Finch.	Maeize,	

Question recurring to the amendment of Senator Johnson it was adopted by the following vote:

YEAS—21.

Atlee.	Glasscock.	Potter.
Clark.	Ingram.	Seale.
Crane.	Johnson,	Simkins.
Cranford.	Kimbrough.	Sims.
Finch.	Lubbock.	Tyler.
Frank.	Maeize.	Weisiger.
Garwood.	McKinney.	Whatley.

NAYS—5.

Clemens.	Page.	Townsend.
Kearby,	Stephens.	

Senator Crane called up the amendment offered by him yesterday.

By consent Senator Carter sent up the following memorial:

A memorial by the citizens of Fort Worth praying for laws to protect little girls and asking and praying for the establishment of a reformatory for girls.

By consent Senator Finch introduced the following bill:

A bill to be entitled "An act to amend article 1380, title 29, chapter 19 of the Revised Civil Statutes of the State of Texas by adding thereto articles 1380a and 1380b."

Read first time and referred to Judiciary committee No. 1.

House bill No. 52, entitled "An act to amend section 9 of an act entitled 'An act to require butchers and slaughterers of cattle to give a bond, and to prescribe penalties for the violation of the conditions of the same, and to prevent unlawful slaughtering and selling cattle,' passed at the regular session of the Twenty first Legislature, and approved April 6, 1889."

Read first time and referred to Judiciary Committee No. 1.

Also House bill No. 140, entitled "An act to provide for the sale of all lands in Greer county heretofore set apart for the benefit of the public free schools and for the payment of the public State debt, and to protect the actual settlers on said lands in the prior right to purchase the same, and for the lease of such lands, and to prevent the free use and occupancy, unlawful enclosure or unlawful appropriation of such lands, and to prescribe and to provide adequate penalties therefor."

Read and referred to committee on Public Lands.

House bill No. 339, a bill to be entitled "An act to amend sections 10, 21, 28, 94, 120, 140, 158 and 161, of an act entitled an act to incorporate the city of Dallas and grant it a new charter, approved March 13, 1889."

Read first time and referred to committee on Incorporated Cities and Towns.

On motion of Senator Page the Senate adjourned to 10 a. m. tomorrow.

THIRTY-THIRD DAY.

SENATE CHAMBER.

AUSTIN, TEXAS, Feb. 20, 1891.

The Senate met pursuant to adjournment.

Lieutenant Governor Pendleton in the chair.

Roll called.

Quorum present. the following senators answering to their names:

PRESENT.

Atlee.	Harrison	Potter.
Carter,	Ingram	Seale.
Clark.	Johnson.	Simkins.
Clemens.	Kearby	Sims.
Crane	Kimbrough.	Stephens.
Cranford.	Maeize.	Townsend.
Finch.	McKinney.	Tyler.
Frank	Page.	Weisiger.
Garwood.	Seale,	Whatley.
Glasscock		

Prayer by the chaplain of the House.
Dr. Smoot.

Pending the reading of the journal
Senator Ingram moved that further
reading of the same be dispensed with.
Adopted.

PETITIONS AND MEMORIALS.

By Senator Stephens (by request):

Memorial of J. M. Stockbridge, pro-
testing against the passage of Senate
bill No. 284, validating the title of L.
H. Davis to lands in Hardeman county,

Read first time and referred to com-
mittee on Private Land Claims.

By Senator Harrison:

Petition of citizens of Waco.

Read first time and referred to com-
mittee on Cities and Towns.

COMMITTEE REPORTS.

COMMITTEE ROOM,

AUSTIN, February 20, 1891.

Hon. Geo. C. Pendleton, President of
the Senate:

Sir—Your Judiciary committee No.
2, to whom was referred

Senate bill No. 276, being "An act
to regulate corporations engaged in
the business of guaranteeing or acting
as security for the fidelity of persons
in public or private offices, employ-
ments or positions, and the agents of
such corporations, and prescribing
penalties for failure to comply with
the provisions thereof,"

Have had the same under considera-
tion, and I am instructed to report
the same back to the Senate with the
recommendation that it do pass.

All of which is respectfully sub-
mitted.

TYLER, Chairman.

COMMITTEE ROOM,

Austin, February 20, 1891.

Hon. Geo. C. Pendleton, President of
the Senate:

Sir—Your Judiciary committee No.
2, to whom was referred

Senate bill No. 267 being "An act
to amend chapter 3, title 17, of the
penal code of the State of Texas by
adding thereto article 677a,"

Have had the same under considera-
tion, and I am instructed to report
the same back to the House with the
recommendation that it do pass with
the following amendments:

1st. Strike out the word "intention-
ally" in first line of article 677a, and
insert in lieu thereof the word "will-
fully."

2d. Strike out the words "other
than those duly authorized so to do,"
in article 677a.

3d. Strike out the words "confine
ment in the penitentiary not less than
two nor more than five years or."

All of which is respectfully sub-
mitted.

TYLER, Chairman.

COMMITTEE ROOM,

Austin, February 20, 1891.

Hon. George C. Pendleton, President
of the Senate:

Sir—Your Judiciary committee No.
2, to whom was referred

Senate bill No. 278, being "An act
to require certain corporations to
give to their employes, agents or ser-
vants the cause of their removal or
discharge when removed or dis-
charged."

Have had the same under considera-
tion, and instruct me to report the
same back to the Senate with the re-
commendation that it do pass.

All of which is respectfully submit-
ted.

TYLER, Chairman.

COMMITTEE ROOM,

Austin, February 20, 1891.

Hon. Geo. C. Pendleton, President of
the Senate:

Sir—Your Judiciary committee No.
2 to whom was referred

Senate bill No. 272, being "An act
to amend article 678, title 17, chapter
3 of the penal code of the State of
Texas,"

Have had the same under considera-
tion, and I am instructed to report the
same back to the Senate with the re-
commendation that it do pass.

All of which is respectfully sub-
mitted.

TYLER, Chairman.

COMMITTEE ROOM,

Austin, February 20, 1891.

Hon. George C. Pendleton, President
of the Senate:

Sir—Your Judiciary committee No.
2, to whom was referred

Senate bill No. 277, being "An act
to repeal article 4787 of chapter 1, title
96 of the Revised Civil Statutes of the
State of Texas,"

Have had the same under considera-
tion and instruct me to report it back
to the Senate with the recommenda-
tion that it do pass.

All of which is respectfully submit-
ted.

TYLER, Chairman.

COMMITTEE ROOM,

Austin, February 19, 1891.

Hon. Geo. C. Pendleton, President of
the Senate:

Sir—Your committee on Finance
to whom was referred

Senate bill No. 50, being "An act
to amend chapter 4, title 95, of the re-
vised civil statutes of Texas, by add-
ing thereto article 4738a,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

CLEMENS, Chairman

Senator Pope offered the following report from a special committee, which was adopted:

COMMITTEE ROOM,
Austin, February 20, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee, appointed to present to the Senate and House of Representatives resolutions in memory of Jefferson Davis, ex-president of the late Confederate States of America beg leave to report the accompanying resolutions, and recommend that they be considered at a joint session of the two houses, to be held in the Chamber of Representatives at 3 o'clock p. m., Saturday, March 7, 1891:

That the roll of the two houses be first called; followed with prayer by the Rev. R. K. Smoot, then addresses by members of the two houses, after which action on the resolutions will be taken. The joint session to conclude with a benediction by the Rev. Dr. Dodds.

W. H. POPE,

E. J. SIMKINS,

J. W. CRANFORD,

On the part of the Senate.

A. J. BAKER,

J. W. SWAYNE,

E. L. AGNEW,

G. C. O'BRIEN,

W. L. ADKINS,

On the part of the House.

RESOLUTIONS.

Whereas: We have learned that God, in his wisdom, has called to eternal rest from his labors on earth, the matchless statesman and christian soldier and citizen, Jefferson Davis, the late president of the Confederate states, who for the past twenty-five years has been the heroic and uncompromising sufferer for all the people of the South, and

Whereas we recognized in him the living embodiment of those great principles of local self-government, which for the first seventy years existence of our grand union of States, was construed by our fathers to be the corner stone of our government, and guarantee of the perpetuity of our free institutions; and,

Whereas, it is fit and becoming that

the representatives of the great State of Texas, in legislature assembled should in some enduring form transmit to posterity, the expression of esteem and loyalty and admiration for those principles which gave to his life such brilliant lustre. Therefore be it

Resolved, That in commemorating the life and character of Jefferson Davis, we return to Almighty God our fervent gratitude that he was permitted to live amongst us until he reached the ripe old age of 81 years, illustrating to us by his heroic and unselfish devotion to principle that incarnation of honor, patriotism and love of the constitution of our fathers, which command our emulation and give assurance that his life and character was acceptable and well pleasing to God who gave it.

Resolved further that we take advantage of this occasion to remind all men and the youth especially of our grand union that Jefferson Davis maintained throughout his long and eventful career, the life of a stainless christian. That he was a soldier of distinguished ability, a patriot of brave and unflinching devotion to his country and a statesman of the profoundest genius and sagacity and that his love for the union of the fathers as construed by the highest judicial tribunal of the country was as unselfish, pure and devoted as that which marked the most illustrious statesmen of any age.

Resolved further that we invite the student of history to a close study of the life and character of this illustrious man, through whose unprejudiced and passionless researches, the generations to come may learn to know of a truth though he was regarded by some as the chief and head of all of our offending, yet in his vicarious suffering he was a true representative of the sentiments of the people who choose him as their leader, and a loyal love of the Union of our Fathers.

Resolved finally, That an engrossed copy of these resolutions, signed by the President of the Senate and the Speaker of the House of Representatives, be forwarded to Mrs. V. Jefferson Davis, widow of the deceased.

The resolution was adopted.

Senator Carter made the following privileged reports:

COMMITTEE ROOM,
Austin, February 20, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate Bill No 154, being "An act for the relief of Gov. P. H. Bell, a veteran of the Texas revolution,"

And find the same correctly engrossed.

CARTER, Chairman.

COMMITTEE ROOM,

Austin, February 20, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 143, being "An act to amend sections 5 and 10 of section 8, article 7, chapter 25, of the acts of the special session of the Eighteenth Legislature, entitled 'An act to establish and maintain a system of public free schools for the State of Texas, and to repeal so much of chapter 3 title 78, of the revised civil statutes of Texas as refer to public free schools outside of incorporated cities and towns assuming or having assumed control of their public free schools, and all laws and parts of laws in conflict with this act,'"

And find the same correctly engrossed.

CARTER, Chairman.

BILLS AND RESOLUTIONS.

By Senator Stephens (by request):

A bill to be entitled an act to amend article 4659 of the revised civil statutes of Texas.

Read first time and referred to Judiciary committee No. 1.

By Senator Ingram (by request):

A bill to be entitled an act to establish a State board of health, and define its duties.

Read first time and referred to committee on Public Health.

The following communication from citizens of Washington county was presented by Senator Pope:

To the Hon. Geo. Geo. C. Pendleton, Lieutenant Governor:

We the undersigned citizens of Washington county, Texas, reverencing the name and deeds of Jefferson Davis, and desiring to preserve his face to future generations, do herewith present to you and through you to the Senate of Texas and the people of Texas a portrait of Jefferson Davis to be hung in the Senate chamber on the right of the president's stand. We desire the Hon F. R. Lubbock to represent us in the presentation of the

portrait at such time and place as your honorable body may deem fit.

Respectfully submitted,

B. ELDRIDGE,

C. C. GARRETT,

W. W. SEARCY,

D. C. GIDDINGS, JR.,

BEAUREGARD BRYAN.

Brenham, Texas, February 14, 1891.

Senator Pope offered the following resolutions, which were adopted by the Senate:

Resolved, that the Senate of Texas return sincere thanks to the citizens of Brenham, Washington county, Texas, who have so generously proposed to present to the Senate and people of Texas, the portrait of Jefferson Davis.

Resolved further, that the seventh day of March at 8 o'clock p. m., be set apart for the presentation and reception of the portrait, and that a committee of five be appointed by the president to make suitable arrangements for the occasion.

Resolved further, that the House of Representatives be invited to the Senate chamber to be present during these ceremonies.

Senator Finch moved to postpone pending business and take up out of its regular order on second reading,

Senate bill No. 61, entitled "An act to repeal exception 3 to article 730, chapter 7, title 8, of code of criminal procedure of the State of Texas."

The motion prevailed.

Bill read second time, with a favorable committee report and amendment.

Committee amendment as follows:

But no conviction shall be had upon the testimony of the said female unless the same is corroborated by other evidence tending to connect the defendant with the offense charged.

Adopted.

The bill was ordered engrossed.

Senator Carter moved that the regular order be further suspended, and that Senate bill No. 140, entitled an act to authorize the judges of the supreme court of the State of Texas to employ each a stenographer, and providing for their compensation and qualifications, be taken up out of its regular order, and put upon its second reading.

Adopted.

By consent Senator Townsend made the following report:

COMMITTEE ROOM,

Austin, February 20, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Judicial Districts to whom was referred

House bill No. 325, being "An act to amend an act approved March 25, 1889, being 'An act to amend an act to re-enact section 28 of an act to re-district the State into judicial districts, and fix the time for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883, and to amend said section 28 of said act, approved February 26, 1885, and to create the Forty-ninth judicial district, to provide for the appointment and election of a district judge and district attorney therein, and to repeal all laws and parts of laws in conflict herewith.'"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

TOWNSEND, Chairman.

The following messages were received from the House:

HALL OF THE HOUSE OF REPRESENTATIVES,
AUSTIN, Tex., Feb. 20, 1891. }

Hon. George C. Pendleton, President of the Senate:

Sir—I am instructed by the House to inform you of the passage of the following bill:

House bill No. 307, "An act to create the county of Sterling out of the county of Tom Green."

Respectfully,

SAM H. DIXON,
Chief Clerk H. of R.

Senate bill No. 140 read second time and ordered engrossed.

Senator Carter moved that the constitutional rule requiring a bill to be read on three several days be suspended and that the bill be put upon its third reading and final passage.

Adopted by the following vote:

YEAS—27.

Atlee,	Glasscock,	Potter,
Carter,	Ingram,	Seale,
Clark,	Johnson,	Simkins,
Clemens,	Kearby,	Sims,
Crane,	Kimbrough,	Stephens,
Cranford,	Maetze,	Townsend,
Finch,	McKinney,	Tyler,
Frank,	Page,	Weisiger,
Garwood,	Pope,	Whatley.

NAYS—None.

The bill read third time and passed by the following vote:

YEAS—22.

Atlee,	Harrison,	Pope,
Carter,	Ingram,	Seale,
Clark,	Johnson,	Simkins,
Clemens,	Kearby,	Sims,
Crane,	Maetze,	Stephens,
Cranford,	McKinney,	Townsend,
Garwood,	Page,	Tyler,
		Weisiger.

NAYS—5.

Finch,	Glasscock,	Whatley.
Frank,	Potter,	

Senator Frank moved to further postpone pending business and take up out of its regular order, on second reading, substitute Senate bill No. 159, entitled an act to define, prevent and punish fraud and evasion in the assessment and collection of the public revenue arising upon all money subject to taxation, in the State of Texas.

Which motion prevailed.

Bill and substitute read second time.

The substitute was adopted as follows:

Senate substitute bill No. 159, a bill to be entitled "An act to define, prevent and punish fraud and evasion in the assessment and collection of the public revenue arising upon money in coin, notes or bonds subject to taxation and to provide a punishment therefor."

January 30, 1891. Reported favorably as substitute for original bill No. 151, and read first time.

Be enacted by the Legislature of the State of Texas:

Section 1. That any evasion by any means of artifice or temporary or fictitious sale, exchange or pretended transfer upon any bank books, of gold and silver coin, bank notes or other notes or bonds subject to taxation under the laws of this State, for United States non-taxable treasury notes or any notes or bonds not so subject to taxation, and any such pretended sale, exchange or transfer not made in good faith, and by actual exchange and delivery of the funds so sold, exchanged or transferred, and made only by entry on bank books, or by any express or implied understanding not to immediately make a bona fide and permanent sale, shall be deemed prima facie to be a fraud upon the public revenue of this State.

Section 2. The president, cashier or secretary of any banking or other corporation, or any person that may be a party or privy to such fraudulent sale, exchange or transfer shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, and in addition thereto shall be con-

fined in the county jail not less than ten days nor more than thirty days.

Section 3. All assessors of taxes in this State shall require all tax-payers when assessed by them, to make oath as to any such sale, exchange or transfer made by them on the first day of January, or within sixty days before the first day of January of any year for which any such assessment is made as to the good faith and bona fide business transaction of any such sale, exchange or transfer, as above set forth, if any such should have been made by them, and if it should be disclosed that any such pretended sale, exchange or transfer have been made for the purposes of evading taxation, such facts shall be by said assessor communicated to the county attorney of such county, who shall prosecute such offending party, as provided for in section 2 of this act; provided further, that any kind of evasion, exchange or subterfuge resorted to by owners as holders of money to escape assessment for taxation shall be punished as provided in this act.

Senator Frank offered the following amendment:

Section 4. The great importance of the subject treated of in this act and the near approach of the time for making assessment for taxes in this State, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days and said rule is so suspended and this bill to take effect and be in force from and after its passage.

Adopted.

The bill was ordered engrossed.

Senator Frank moved to suspend the constitutional rule requiring a bill to be read on three several days and that the bill pass to a third reading and final passage, which was adopted by the following vote:

YEAS—26.

Atlee,	Harrison,	Pope,
Clark,	Ingram,	Potter,
Cranford,	Johnson,	Seale,
Clemens,	Kearby,	Sims,
Crane,	Kimbrough,	Stephens,
Finch,	Maetze,	Townsend,
Frank,	McKinney,	Tyler,
Garwood,	Page,	Weisiger,
Glasscock,		Whatley.

NAYS—None.

The bill was read third time and passed by the following vote:

YEAS—28.

Atlee,	Harrison,	Potter,
Carter,	Ingram,	Seale,
Clark,	Johnson,	Simkins,
Clemens,	Kearby,	Sims,

Crane,	Kimbrough,	Stephens,
Cranford,	Maetze,	Townsend,
Finch,	McKinney,	Tyler,
Frank,	Page,	Weisiger,
Garwood,	Pope,	Whatley.
Glasscock,		

Senator Finch moved to postpone pending business and again take up out of its regular order Senate bill No. 61, which motion prevailed.

Senator Finch moved to suspend the constitutional rule requiring a bill to be read on three several days, and that the bill now pass to a third reading and final passage, which was adopted by the following vote:

YEAS—28.

Atlee,	Harrison,	Potter,
Carter,	Ingram,	Seale,
Clark,	Johnson,	Simkins,
Clemens,	Kearby,	Sims,
Crane,	Kimbrough,	Stephens,
Cranford,	Maetze,	Townsend,
Finch,	McKinney,	Tyler,
Frank,	Page,	Weisiger,
Garwood,	Pope,	Whatley.
Glasscock,		

The chair gave notice of signing and signed in presence of the Senate,

House bill No. 139, entitled "An act to diminish the civil and criminal jurisdiction of the county courts of Irion, Roberts, Ochiltree and Hansford counties."

Senator Finch offered the following amendment to Senate bill No. 61:

Amend by adding section 2 as follows:

Section 2. Whereas, as the law now exists, the defendant who seduced the female witness can testify, and the seduced female cannot, therefore, an emergency and imperative public necessity exists requiring the constitutional rule for bills to be read on three several days to be suspended, and said rule is hereby suspended.

Adopted.

The bill was read a third time and passed.

REGULAR ORDER.

Senate bill No. 2, a bill to be entitled "An act to empower the State board of education to procure for use in the common schools of the State of Texas a series of text books, defining the duties of certain officers therein named with reference thereto, making appropriations therefor, defining certain felonies and misdemeanors, providing penalties for the violation of the provisions of this act, and declaring an emergency."

On second reading, the question recurring to the amendment of Senator Crane, offered on Wednesday, the 18th inst.

On motion of Senator Frank, Senator Lubbock was excused till Monday

on account of legislative duties.

Senator Page moved the previous question on the amendment, which was seconded, and the main question was ordered.

The amendment was lost by the following vote:

YEAS—9.

Atlee,	Kimbrough,
Clark,	McKinney,
Crane,	Townsend.
Harrison,	Tyler.
Johnson,	

NAYS—18.

Carter,	Page,
Clemens,	Pope,
Cranford,	Potter,
Frank,	Seale,
Garwood,	Simkins,
Glasscock,	Sims,
Ingram,	Stephens,
Kearby,	Weisiger,
Maetze,	Whatley.

Senator Finch announced that he was paired with Senator Lubbock.

If the latter senator were present he would vote aye, and himself (Senator Finch) would vote no.

Senator Page offered the following amendment:

Amend caption by striking out the words "felonies and."

Adopted.

Senator Johnson offered the following substitute bill:

A bill to be entitled "An act to provide for a uniform series of text books for the public schools of this state."

Be it enacted by the Legislature of the State of Texas:

Section 1. That school trustees of every city or town that has assumed control of its public schools, and of every school district and community in this state, shall have the power, and it shall be their duty to prescribe a uniform series of text books for the use of such school, and to compel their adoption and use therein. Said series, when once adopted, shall not be abolished or changed for a period of three years, except upon the petition and with the consent of a majority of the patrons of such school.

Section 2. In adopting such series of books, the trustees of said school shall enter into an agreement and contract with the publishers or owners thereof to furnish said books to the patrons of said school at reasonable prices, to be fixed in said contract.

Section 3. The county judge or the county school superintendent in any county in this state shall, on or before the first day of September, 1891, call together the school trustees of all the school districts and communities of his county, and

said trustees may by a majority vote adopt a uniform series of text books for use in the public schools in all districts and communities of such county.

When such series has been adopted such books shall be used in said schools to the exclusion of all others on the same subjects, and shall not be changed for a period of three years.

Said trustees in adopting said series of books shall enter into a contract with the publishers or owners of such books to furnish the same to the patrons of said schools at reasonable prices, to be fixed in such contract.

When county uniformity has been adopted, as above provided, then sections 1 and 2 of this act shall not apply to the districts and communities of such county, until such uniformity has been abandoned.

(Senator Sims in the Chair.)

Senator Page moved to lay the substitute on the table, which motion prevailed by the following vote:

YEAS—20.

Carter,	Ingram,	Simkins,
Clemens,	Kearby,	Sims,
Cranford,	Maetze,	Stephens,
Finch,	Page,	Townsend,
Frank,	Pope,	Weisiger,
Garwood,	Potter,	Whatley.
Glasscock,	Seale,	

NAYS—8.

Atlee,	Harrison,	McKinney,
Clark,	Johnson,	Tyler.
Crane,	Kimbrough.	

Senator Carter sent up the following privileged report:

COMMITTEE ROOM,
Austin, February 20, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 140, being "An act to authorize the judges of the supreme court of the state of Texas to employ each a stenographer, and providing for their compensation and qualifications,"

And find the same correctly engrossed.

CARTER, Chairman.

Senator Simkins offered the following amendment:

Amend section 3 by striking out all of said section after the word "books," in line 8, and adding the words "and accept that proposal which furnishes the best books to the children of the state; provided further the price as accepted shall include all cost and charges for the transportation and delivery to patrons of the school."

(The President in the Chair)

Senator Simkins' amendment was lost by the following vote:

YEAS—10.

Garwood,	Kimbrough,	Sims,
Glasscock,	Seale,	Stephens,
Harrison,	Simkins,	Weisiger.
Ingram,		

NAYS—17.

Atlee,	Frank,	Pope,
Clark,	Johnson,	Potter,
Clemens,	Kearby,	Townsend,
Crane,	Maetze,	Tyler,
Cranford,	McKinney,	Whatley.
Finch,	Page,	

Senator Sims offered the following amendment:

Amend by adding at the end of section 3 as follows:

"Provided that the board of education and the contractor agreeing to furnish the books may by agreement make such change of books to be furnished the state as the board of education may deem proper and to the interest of the state."

Adopted—15 yeas and 9 nays.

Senator Page moved the previous question, which was seconded, and the main question ordered.

The question being upon the engrossment of the bill it was ordered engrossed by the following vote:

YEAS—20.

Carter,	Kearby,	Sims,
Clemens,	Maetze,	Stephens,
Cranford,	Page,	Townsend,
Frank,	Pope,	Tyler,
Garwood,	Potter,	Weisiger,
Glasscock,	Seale,	Whatley.
Ingram,	Simkins,	

NAYS—7.

Atlee,	Harrison,	Kimbrough,
Clark,	Johnson,	McKinney.
Crane,		

Senator Finch announced that he was paired with Senator Lubbock on the engrossment of the bill. If Senator Lubbock were present he would vote no, and himself (Senator Finch) would vote aye.

Senator Page moved to suspend the constitutional rule requiring a bill to be read on three several days and that the bill pass to a third reading and final passage, which was adopted by the following vote:

YEAS—27.

Atlee,	Harrison,	Potter,
Carter,	Ingram,	Seale,
Clark,	Johnson,	Simkins,
Clemens,	Kearby,	Sims,
Cranford,	Kimbrough,	Stephens,
Finch,	Maetze,	Townsend,
Frank,	McKinney,	Tyler,
Garwood,	Page,	Weisiger,
Glasscock,	Pope,	Whatley.

NAYS—1.

Crane.

Bill read third time.

Senator Page moved the previous question on the passage of the bill, which was ordered.

The bill passed by the following vote:

YEAS—22.

Carter,	Kearby,	Sims,
Clemens,	Kimbrough,	Stephens,
Cranford,	Maetze,	Townsend,
Finch,	Page,	Tyler,
Frank,	Pope,	Weisiger,
Garwood,	Potter,	Whatley.
Glasscock,	Seale,	
Ingram,	Simkins,	

NAYS—6.

Atlee,	Crane,	Johnson,
Clark,	Harrison,	McKinney.

Senator Page moved to reconsider the vote by which the bill was passed, and also to lay that motion on the table.

The motion to table was adopted by the following vote:

YEAS—19.

Carter,	Kearby,	Sims,
Clemens,	Maetze,	Stephens,
Cranford,	Page,	Townsend,
Finch,	Pope,	Tyler,
Garwood,	Potter,	Weisiger,
Glasscock,	Seale,	Whatley.
Ingram,		

NAYS—9.

Atlee,	Frank,	Kimbrough,
Clark,	Harrison,	McKinney,
Crane,	Johnson,	Simkins.

I vote "aye" on the final passage of Senate bill No. 2, known as the Page text book bill, for the purpose of entering a motion to reconsider. I am opposed to an iron-clad system of State uniformity of text books. I believe it to be a species of governmental tyranny that should not be tolerated in a free democratic country where the doctrine of local self-government obtains.

KIMBROUGH.

The chair announced that Senators Pope, Harrison, Weisiger, Clark and Whatley were appointed a committee on the part of the Senate in accordance with the resolution adopted to make arrangements to receive the portrait of Jefferson Davis.

Senator Page gave notice for Senator Lubbock that the latter would file his reasons for voting against the text book bill and ask to have them printed in the Journal.

By consent Senator Potter introduced the following:

A bill to be entitled "An act to provide for editing, illustrating, electrotyping, publishing, printing, binding, copyrighting and distributing a State series of school text books, and making appropriation therefor.

Read first time and referred to committee on Education.

By consent Senator Stephens introduced the following:

Senate bill No. 295, a bill to be entitled "An act to authorize the sale and conveyance of the Missouri, Kansas and Texas railway company's lines of railroad and properties within this state and certain lines of railroad heretofore operated by, or as the property of the Missouri, Kansas and Texas railway company, or as a part of the system of roads within this State known as the Missouri, Kansas and Texas railway, and to provide for and authorize the sale, transfer and conveyance of said lines of railroad to, and the purchase and operation thereof by a single corporation, company or association of persons, to be incorporated under the laws of this State, and to settle and dispose of certain pending suits brought by the State of Texas against said Missouri, Kansas and Texas railway company, wherein the powers, privileges and franchises granted it within the State are sought to be forfeited."

Read first time and referred to committee on Internal Improvements.

Senator Stephens also at the time of the introduction of the foregoing Senate bill No. 295, introduced and exhibited evidence of the publication of the notice given by the Missouri, Kansas and Texas railway company of its intention to apply to this Legislature for the passage of such special law, in compliance with and as required by the constitution and laws of this State.

Senator Pope called up Senate bill No. 206, entitled "An act to amend article 1685 of the revised civil statutes of the State of Texas concerning notice of special elections," for the purpose of concurring in House amendment.

The Senate concurred.

Senator Tyler moved to postpone pending business and take up out of its regular order Substitute Senate bills Nos. 108 and 150, entitled "An act to establish two additional normal schools in the State of Texas, to provide for their location, to provide for the acquisition of suitable grounds and buildings for the use of the same and to make an appropriation therefor."

Adopted, and bill pending on adjournment.

House bill No. 307, entitled "An act to

create the county of Sterling out of the county of Tom Green."

Read first time and referred to committee on Counties and County Boundaries.

Senator Carter moved to adjourn to 10 a. m. tomorrow, which prevailed by the following vote:

YEAS—16.

Atlee,	Harrison,	McKinney,
Carter,	Ingram,	Pope,
Clark,	Johnson,	Seale,
Crane,	Kearby,	Simkins,
Garwood,	Meatze,	Townsend.
Glasscock,		

NAYS—12.

Clemens,	Kimbrough,	Stephens,
Cranford,	Page,	Tyler,
Finch,	Potter,	Weisiger,
Frank,	Sims,	Whatley.

THIRTY-FOURTH DAY.

SENATE CHAMBER,
AUSTIN, February 21, 1891. }

Senate met pursuant to adjournment
President Pro Tem Cranford in the chair.

Roll called.

Quorum present.

The following senators answering to their names:

PRESENT—21.

Clark,	Glasscock,	Potter,
Crane,	Johnson,	Seale,
Clemens,	Kearby,	Simkins,
Cranford,	Kimbrough,	Sims,
Finch,	Maetze,	Stephens,
Frank,	McKinney,	Tyler,
Garwood,	Page,	Weisiger.

ABSENT—4.

Atlee,	Ingram,	Pope.
Carter,		

Prayer by the chaplain, Dr. Smoot.

Pending the reading of the journal, on motion of Senator Seale the further reading of the same was dispensed with.

On motion of Senator Frank Senator Whatley was excused till next Friday on account of Legislative duties.

On motion of Senator Johnson Senator Harrison was excused till Tuesday on account of important business.

Senator Finch called attention to error in journal of yesterday in which Senator Lubbock's name was printed where his